IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE WESTERN DIVISION

FILED BY

THOMAS M. GOLLID CLERK US PROTECT COURT

FRANK A. ROBERTSON,

Plaintiff,

vs.

NO. 05-2579- DP JURY DEMANDED

SHELBY COUNTY, TENNESSEE dba SHELBY COUNTY JAIL DIVISION, MAYOR A C WHARTON, JR., individually and as Mayor of Shelby County, SHERIFF MARK H. LUTRELL, Jr., individually and as Sheriff of Shelby County, and UNKNOWN AGENTS OF SHERIFF MARK LUTTRELL or MAYOR A C WHARTON, JR.,

Defendants.

ORDER GRANTING MOTION OF SHELBY COUNTY, MAYOR WHARTON AND SHERIFF LUTTRELL FOR ENLARGEMENT OF TIME

Defendants Shelby County Government, Mayor A C Wharton, Jr., and Sheriff Mark H. Luttrell, Jr., have moved, by and through counsel, to enlarge the time in which they may respond to the Complaint filed in this cause in order to gather information and material with which to prepare a response to the Complaint. Counsel for the Plaintiff has consented to the enlargement.

It appearing to the Court that for good cause shown, the Motion of the Defendants should be granted and they be allowed an additional sixty (60) days from the date of this Order in which to file a responsive pleading and/or a motion in this cause.

IT IS SO ORDERED on this the ______ day of November_, 2005.

BERNICE BOUIE DONALD TO M. Phan

United States District Court Judge/

This document entered on the docket sheety with Rule 58 and/or 79(a) FRCP on

Magistrate

APPROVED:

DEBRA L. FESSENDEN #11818

Assistant Shelby County Attorney

Attorney for Shelby County,

Mayor Wharton, and Sheriff Luttrell

160 N. Main, Suite 660

Memphis, Tennessee 38103

(901) 545-4230

FELISA N. COX #20034

Assistant Shelby County Attorney

Attorney for Shelby County,

Mayor Wharton, and Sheriff Luttrell

160 N. Main, Suite 660

Memphis, Tennessee 38103

(901) 545-4230

JOHN MICHAEL BAILEY #6941

Attorney for Plaintiff

5978 Knight Arnold Road, Suite 400

Memphis, Tennessee 38115

(901) 529-1010

1 -



Notice of Distribution

This notice confirms a copy of the document docketed as number 7 in case 2:05-CV-02579 was distributed by fax, mail, or direct printing on November 4, 2005 to the parties listed.

Debra L. Fessenden SHELBY COUNTY ATTORNEY'S OFFICE 160 N. Main Street Ste. 660 Memphis, TN 38103

Felisa N. Cox SHELBY COUNTY ATTORNEY'S OFFICE 160 N. Main Street Suite 660 Memphis, TN 38103

John M. Bailey LAW OFFICES OF JOHN M. BAILEY 5978 Knight Arnold Ste. 400 Memphis, TN 38115

Honorable Bernice Donald US DISTRICT COURT